

# HOUSE BILL REPORT

## HB 2874

---

**As Passed House:**  
February 10, 2006

**Title:** An act relating to design-build construction for transportation projects.

**Brief Description:** Modifying transportation project design-build provisions.

**Sponsors:** By Representatives Murray, Ericksen, Jarrett, Wallace and Woods; by request of Department of Transportation.

**Brief History:**

**Committee Activity:**

Transportation: 1/24/06, 1/25/06 [DP].

**Floor Activity:**

Passed House: 2/10/06, 98-0.

### Brief Summary of Bill

- Authorizes the Department of Transportation to conduct up to five pilot design-build projects on projects that cost between \$2 million and \$10 million.
- Repeals the expiration date of April 30, 2008.

---

### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass. Signed by 28 members: Representatives Murray, Chair; Wallace, Vice Chair; Woods, Ranking Minority Member; Skinner, Assistant Ranking Minority Member; Appleton, Buck, Campbell, Clibborn, Curtis, Dickerson, Ericksen, Flannigan, Hankins, Holmquist, Hudgins, Jarrett, Kilmer, Lovick, Morris, Nixon, Rodne, Schindler, Shabro, Simpson, B. Sullivan, Takko, Upthegrove and Wood.

**Staff:** Gary Lebow (786-7304).

**Background:**

In December 1996 the Department of Transportation (DOT) created an in-house task force to investigate the use of design-build contracting for DOT projects. In 1998 the Legislature granted the DOT statutory authority to use design-build contracting on two pilot projects, each of which had to cost over \$10 million. The DOT was also required to present a detailed report to the Legislative Transportation Committee within one year of completion of the pilot projects.

The law required the DOT to develop criteria for use of the design-build process, which had to include the scope of services, contractor pre-qualification requirements, evaluation criteria, and a dispute resolution procedure.

In 2001 the Legislature granted the authority to use design-build on projects costing over \$10 million and extended the sunset date to April 30, 2008.

The Blue Ribbon Commission on Transportation recommended that the Legislature grant statutory authority to transportation agencies to use design-build techniques and other alternative delivery concepts, such as design-build-operate, design-build-operate-own, design-build-operate-transfer, and general contractor/construction management.

---

**Summary of Bill:**

The DOT is authorized to use design-build contracting procedures for up to five pilot projects that cost between \$2 million and \$10 million in order to evaluate the efficiency and effectiveness of design-build for these size of projects.

The sunset clause is removed allowing use of design-build contract procedures beyond April 30, 2008.

---

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** The DOT needs design-build contracting to deliver a very large highway construction program. About 40 states have implemented at least one design-build project with good results in decreasing the amount of time it takes to deliver a finished project.

The DOT has plans to use design-build contracting on several large projects and needs the authority to use design-build after the 2008 expiration date.

**Testimony Against:** None.

**Persons Testifying:** Rick Smith, Washington State Department of Transportation.

**Persons Signed In To Testify But Not Testifying:** None.